

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB

**DECLARATION OF WILLIAM L. SMITH IN
SUPPORT OF PLAINTIFF'S MOTION TO
STRIKE CLAWBACK NOTICE**

This Document Relates to:

Jaylynn Dean v. Uber Techs., Inc.,
N.D. Cal. No. 23-cv-06708
D. Ariz. No. 25-cv-4276

Judge: Honorable Charles R. Breyer
Courtroom: 6 –17th Floor

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA
PHOENIX DIVISION

JAYLYNN DEAN,

Plaintiff,

v.

UBER TECHNOLOGIES, INC., et al.,

Defendants.

No. 25-cv-4276-PHX-CRB

Judge: Honorable Charles R. Breyer
Ctrm.: 501

DECLARATION OF WILLIAM L. SMITH
N.D. CAL. NO. 3:23-MD-03084; D. ARIZ. NO. 25-CV-4276

1 I, WILLIAM L SMITH, declare:

2 1. I am an attorney in the law firm of Anapol Weiss, appointed to the Plaintiffs'
3 Steering Committee in the above-captioned Multi-District Litigation. I am a member of the State
4 Bar of California and am admitted to practice before this Court. I make this declaration based on
5 my own personal knowledge. If called upon to testify, I could and would testify competently to
6 the truth of the matters stated herein.

7 2. I submit this declaration in support of Plaintiff's Motion to Strike Clawback
8 Notice.

9 3. On the evening of Friday, January 2, 2026, counsel for Defendants Uber
10 Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC served a notice of clawback pursuant to
11 Pretrial Order No. 14 (ECF 396), purporting to claw back 46 documents that Defendants claim
12 were inadvertently produced. A true and correct copy of the January 2, 2026 Clawback Notice is
13 attached hereto as **Exhibit 1**.

14 4. Jury selection in this matter is scheduled to begin on January 8, 2026 with
15 opening statements occurring on January 13.

16 5. Prior to serving the January 2, 2026 Clawback Notice, Defendants had not
17 asserted privilege over the documents at issue. Many of these documents were used as exhibits at
18 depositions, during which Defendants' counsel was present, reviewed the exhibits, and raised no
19 privilege objection or clawback request. In addition, Defendants stipulated that certain of the
20 documents were authentic business records for purposes of trial, and two of the documents
21 appear on Defendants' own trial exhibit list.

22 I declare under penalty of perjury that the foregoing is true and correct. Executed this 5th
23 day of January, 2026 in LOS ANGELES, CALIFORNIA.

24 /s/ William L. Smith
25 William L. Smith
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